

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:10-cr-182

THIS MATTER is before the Court upon the defendant's Motion for Real Time Feed and to Stream to Limited Counsel Outside the Courthouse (Doc. No. 102) and the government's response in opposition (Doc. No. 104).

Rule 53 of the Federal Rules of Criminal Procedure prohibits the broadcasting of judicial proceedings from the courtroom. No exceptions are provided other than by statute or procedural rule. Thus, counsel's personal concerns which make attendance at the trial difficult do not establish a basis for the Court to grant the requested relief to provide a realtime stream to Atlanta, Georgia.

The Administrative Office of the Courts (AO) has provided for realtime streaming to parties within the courtroom,¹ to which the government does not object. (Doc. No. 104: Response at ¶ 1 (arguing against feed outside courtroom)). Accordingly, the Court will allow a realtime feed of electronic data from the court reporter to the computers in the courtroom of those ordering realtime transcription. The feed may not be provided to others outside the courtroom.

¹ http://jnet.ao.dcn/District/Court_Report/Transcript_Fees.html (Oct. 4, 2011) (setting fees for such service). According to the AO, “A realtime ‘feed’ is the electronic data flow from the court reporter to the computer of each person or party ordering and receiving the realtime transcription in the courtroom.” (Id.).

IT IS, THEREFORE, ORDERED, that the defendant's motion (Doc. No. 102) is GRANTED in part and DENIED in part, and the parties may order realtime transcription in keeping with the limitations detailed above.

Signed: October 7, 2011

Robert J. Conrad, Jr.
Robert J. Conrad, Jr.
Chief United States District Judge

